



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

9 March 2015

David Allan Ross & Renae Elaine Braaksma-Ross
Braaksma-Ross Family Farms, Inc.
21251 Road 19 1/2
Chowchilla, CA 93610

Certified Mail No.
7009 1410 0002 1421 6921

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2015-0511 FOR DAVID ALLAN ROSS & RENAE ELAINE BRAAKSMA-ROSS

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code section 13323. This Complaint alleges that David Allan Ross & Renae Elaine Braaksma-Ross (hereafter collectively "Braaksma-Ross" or "Discharger") failed to submit a Report of Waste Discharge ("RoWD") as required under Water Code section 13260, and recommends an administrative civil liability pursuant to Water Code section 13261 in the amount of **thirty two thousand five hundred and thirty-two dollars (\$32, 532)**.

In accordance with the enclosed Waiver form, Braaksma-Ross may:

- Ask that the hearing be postponed to facilitate settlement discussions or for other reasons (Options 1 or 2 on the attached waiver form); or
- Contest the Complaint and/or enter into settlement discussions without signing the enclosed waiver.

If the Central Valley Water Board does not receive a signed waiver by **3 April 2015**, a hearing will be scheduled for the **4/5 June 2015** Board meeting in Rancho Cordova. This hearing will be governed by the attached proposed Hearing Procedures; any objections to the Hearing Procedures must be received by Patrick Pulupa, whose contact information is listed in the Hearing Procedures, by **5 p.m. on 19 March 2014**.

If you choose to sign the waiver and a settlement is reached, this will be considered a tentative settlement of the violations. If the Central Valley Water Board does not hold a hearing on the matter, and if the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, the settlement will be considered final pending a 30-day public comment period from the date the Complaint was issued. If the terms of the settlement are significantly different from the Complaint, the settlement will be considered final pending a 30-day public comment period, starting from the date the Stipulated Order is issued. Interested parties may comment on the proposed action during this period by submitting written comments to the Central Valley Water Board staff person listed below. Should the

Central Valley Water Board receive new information or comments during this comment period, the Assistant Executive Officer may withdraw the Complaint, return payment, and issue a new complaint

If the Discharger would like to rebut the presumption in the Complaint regarding an ability to pay the proposed liability, it must submit detailed financial information to the Regional Water Board by 3 April 2015. That information must include a balance sheet of outstanding debts and liabilities, as well as the information detailed on the attached Administrative Civil Liability Fact Sheet (attached).

In order to conserve resources, this letter transmits paper copies of the documents to Braaksma-Ross only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Scott Perrou at (916) 464-4633, or via e-mail at sperrou@waterboards.ca.gov.



ANDREW ALTEVOGT
Assistant Executive Officer

Enclosure: ACL Complaint R5-2015-0511

cc via email: Pamela Creedon, Central Valley Water Board, Rancho Cordova
Adam Laputz, Central Valley Water Board, Rancho Cordova
Rob L'Heureux, Central Valley Water Board, Rancho Cordova
Naomi Kaplowitz, Office of Enforcement, SWRCB, Sacramento
Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento
Parry Klassen, East San Joaquin Water Quality Coalition
Stevie McNeil, Madera County Agricultural Commissioner